

CLOSED, ECF

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:12-cv-04093-HB**

American Civil Liberties Union Foundation v. United States
Department of Justice
Assigned to: Judge Harold Baer
Cause: 05:552 Freedom of Information Act

Date Filed: 05/23/2012
Date Terminated: 11/09/2012
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**American Civil Liberties Union
Foundation**

represented by **Catherine Newby Crump**
American Civil Liberties Union
Foundation (NYC)
125 Broad Street
18th Floor
New York, NY 10004
(212) 519-7806
Fax: (212) 549-2651
Email: ccrump@aclu.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

United States Department of Justice
*including components Criminal Division,
Drug Enforcement Administration,
Federal Bureau of Investigation, Bureau
of Alcohol, Tobacco, Firearms
& Explosives, & Office of Information
Policy, & US Marshals Service*

represented by **Tomoko Onozawa**
U.S. Attorney's Office, SDNY (Chambers
Street)
86 Chambers Street
New York, NY 10007
(212) 637-2721
Fax: (212) 637- 2686
Email: tomoko.onozawa@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/23/2012	<u>1</u>	COMPLAINT against United States Department of Justice. (Filing Fee \$ 350.00, Receipt Number 9119) Document filed by American Civil Liberties Union Foundation.(ama) (Entered: 05/24/2012)
05/23/2012		SUMMONS ISSUED as to United States Department of Justice, U.S. Attorney and U.S. Attorney General. (ama) (Entered: 05/24/2012)
05/23/2012		Magistrate Judge Henry B. Pitman is so designated. (ama) (Entered: 05/24/2012)
05/23/2012		Case Designated ECF. (ama) (Entered: 05/24/2012)
06/04/2012	<u>2</u>	NOTICE OF APPEARANCE by Tomoko Onozawa on behalf of United States Department of Justice (Onozawa, Tomoko) (Entered: 06/04/2012)
06/05/2012	<u>3</u>	AFFIDAVIT OF SERVICE of Summons and Complaint served on United States Department of Justice, United States Attorney General, United States Attorney for the Southern District of New York on May 24, 2012. Service was made by Mail. Document filed by American Civil Liberties Union Foundation. (Crump, Catherine) (Entered: 06/05/2012)
06/22/2012	4	Letter addressed to Ms. Crump from Linda Eckhouse, Judicial Assistant to the Honorable Harold Baer, Jr. dated 6/20/2012 re: There will be a Pre-Trial

		Conference on this case at 11:30 a.m. on Tuesday, 7/17/2012 in Chambers, Room 2230. It is your responsibility to notify your adversary(ies) of the date and time of the Pre-Trial Conference with a copy to us and to forward to your adversary(ies) a copy of Judge Baer's individual rules. (tro) (Entered: 06/26/2012)
06/22/2012		Set/Reset Hearings: Pretrial Conference set for 7/17/2012 at 11:30 AM before Judge Harold Baer. (tro) (Entered: 06/26/2012)
07/02/2012	<u>5</u>	ANSWER to <u>1</u> Complaint. Document filed by United States Department of Justice.(Onozawa, Tomoko) (Entered: 07/02/2012)
07/11/2012	<u>6</u>	STIPULATION TO ALLOW FILING OF AMENDED COMPLAINT. IT IS HEREBY STIPULATED AND AGREED, by and among plaintiff and defendant, through their respective counsel, as follows: 1. Pursuant to Fed. R. Civ. P. 15(a), the parties hereby stipulate to the filing of the Amended Complaint attached hereto as Exhibit 1. 2. Defendant reserves its right to assert all applicable defenses in this matter, and shall file an answer to the Amended Complaint within twenty-one (21) days after the entry of this Stipulation and the tiling of the Amended Complaint on the docket. (Signed by Judge Harold Baer on 7/11/2012) (rjm) (Entered: 07/11/2012)
07/12/2012		***REJECTION OF ATTEMPTED PAPER FILING IN ECF CASE. The following document(s) Rule 7.1 Statement – Catherine Newby Crump, was rejected by the Clerk's Office and must be FILED ELECTRONICALLY on the Court's ECF System. (ft) (Entered: 07/12/2012)
07/12/2012	<u>7</u>	AMENDED COMPLAINT amending <u>1</u> Complaint against United States Department of Justice.Document filed by American Civil Liberties Union Foundation. Related document: <u>1</u> Complaint filed by American Civil Liberties Union Foundation.(mro) (ml). (Entered: 07/13/2012)
07/13/2012	<u>8</u>	FILING ERROR – WRONG PDF FILE ASSOCIATED WITH DOCKET ENTRY – SECOND RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by American Civil Liberties Union Foundation.(Crump, Catherine) Modified on 7/16/2012 (lb). (Entered: 07/13/2012)
07/16/2012	<u>9</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by American Civil Liberties Union Foundation.(Crump, Catherine) (Entered: 07/16/2012)
07/17/2012		Minute Entry for proceedings held before Judge Harold Baer: Initial Pretrial Conference held on 7/17/2012. (rjm) (Entered: 07/19/2012)
07/31/2012	<u>10</u>	STIPULATION AND ORDER REGARDING DOCUMENT SEARCHES AND PRODUCTION BY DEFENDANT: NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED as follows: DOJ's Office of Information Policy ("OJP") and Criminal Division will search for the reports submitted to Congress pursuant to the Pen Register Act for calendar years 2010 and 2011, and for records "regarding whether these requests were submitted to Congress and the reasons for any failure to submit reports" as further set forth within this Order. (Signed by Judge Harold Baer on 7/31/2012) (jfe) (Entered: 07/31/2012)
08/03/2012	<u>11</u>	ANSWER to <u>7</u> Amended Complaint. Document filed by United States Department of Justice.(Onozawa, Tomoko) (Entered: 08/03/2012)
08/13/2012	<u>12</u>	ENDORSED LETTER addressed to Judge Harold Baer from Catherine Crump dated 8/9/2012 re: counsel writes on behalf of both parties to respectfully request that the status conference currently scheduled for August 23, 2012 be rescheduled to September 20, 2012, or a date thereafter. ENDORSEMENT: Adj. to Sept. 20th at 2:30. (Signed by Judge Harold Baer on 8/13/2012) (pl) Modified on 8/13/2012 (pl). (Entered: 08/13/2012)
08/13/2012		Set/Reset Hearings: Status Conference set for 9/20/2012 at 02:30 PM before Judge Harold Baer. (pl) (Entered: 08/13/2012)
09/18/2012	<u>13</u>	ENDORSED LETTER addressed to Judge Harold Baer from Catherine Crump dated 9/7/2012 re: Joint request to adjourn the 9/20/2012 status conference and to hold the matter in abeyance until 12/1/2012. ENDORSEMENT: Adjournment

		granted but PTC scheduled on 10/25/2012 at 4:30 pm. (Pretrial Conference reset for 10/25/2012 at 04:30 PM before Judge Harold Baer.) (Signed by Judge Harold Baer on 9/17/2012) (cd) Modified on 9/20/2012 (cd). (Entered: 09/18/2012)
10/25/2012	<u>14</u>	ENDORSED LETTER addressed to Judge Harold Baer from Tomoko Onozawa dated 10/23/2012 re: The parties request that the October 25 conference be adjourned without date so that the parties may negotiate and submit a proposed stipulation and order of dismissal for the Court's endorsement. ENDORSEMENT: Adjourned to November 15, 2012 at 3:30 P.M. unless a Stipulation of Discontinuance is in Chambers 48 hours prior thereto., (Pretrial Conference set for 11/15/2012 at 03:30 PM before Judge Harold Baer.) (Signed by Judge Harold Baer on 10/24/2012) (lmb) (Entered: 10/25/2012)
11/09/2012	<u>15</u>	STIPULATION AND ORDER OF SETTLEMENT AND DISMISSAL: that pursuant to Rule 41 (a)(1)(A) of the Federal Rules of Civil Procedure, this action is dismissed with prejudice. As soon as reasonably practicable after the Court has endorsed and docketed this Stipulation and Order, Defendant shall pay to Plaintiff the sum of two thousand dollars (\$2,000.00) in attorneys' fees and litigation costs, pursuant to 5 U.S.C. § 552(a)(4)(E), which sum Plaintiff agrees to accept as full payment of any attorneys' fees and costs it has incurred in this action. Additional relief as set forth in this Order. (Signed by Judge Harold Baer on 11/9/2012) (pl) (Entered: 11/09/2012)